

THE TRIAL

OF
Mr. Shadrach Cook, late Curate of Islington,
At the Old-Baily, at the Sessions of Goal-delivery there held, the
17th. Day of October, 1693.

WHereas *Shadrach Cook*, Priest, was the last Sessions Tried and Convict for Forging the Lord *Nottingham's* Hand and Seal, and an Account given of it in the Sessions Book, Publish'd by Authority: Since which time the said *Cook* has Publish'd a Scandalous and False Paper in his own Defence, bearing Date, *October 22. From Newgate.* It is thought fit to Publish the said Tryal at Large: Which is as followeth;

THE Court being late, about Ten a Clock in the Morning *Mr. Cook* was brought into Court, and set without the Bar, and Proclamation being made for silence as usual; the Jury was sworn, whose Names follow;

<i>William Dym, Esq;</i>	<i>John Green,</i>	<i>John Biscoe,</i>
<i>Henry Russel,</i>	<i>John Groves,</i>	<i>Robert Hopkins,</i>
<i>Gilbert Herring,</i>	<i>John Hall,</i>	<i>William Jennings,</i>
<i>Nicholas Clark,</i>	<i>Thomas Dunchs,</i>	<i>Will. Gunstone, Gentlemen.</i>

Clerk, Reads the Indictment. Gentlemen of the Jury, *Shadrach Cook* stands Indicted by the Name of *Shadrach Cook*, of the Parish of *St. Paul's Covent-Garden*, in the County of *Middlesex*, Clerk; For a Misdemeanor; For that he being a Person of an evil disposed mind, and minding and intending to disturb the Peace of the Kingdom, and the Enemies of the King and Queen to animate and stir up against them, during the War, the First day of May last, he did Forge and Counterfeit a false Writing, or Warrant, for one *Thomas Davison* and his Family, to go into France, &c. To this Indictment he hath Pleaded, not Guilty. Your business is to enquire whether he be Guilty, or not Guilty.

Mr. Ward, a Counsel for the King. Gentlemen of the Jury, This Gentleman at the Bar is Indicted for Forging and Counterfeiting a false Warrant, or Passport, under the Hand and Seal of the Earl of *Nottingham*, Their Majesties Principal Secretary of State; and this was to Convey and Carry over the Enemies of Their Majesties into France, particularly one *Davison*, (as the Indictment sets forth). And when *Mrs. Merryweather* was Tried, there were Seals found in her House, which she made; for she was an Ingenious Woman at such Work. This Gentleman comes into a house where *Mrs. Merryweather* was, and calls for a Candle; and takes a Seal, and after the Wax was melted, he sets it upon the Wax, and tells her, look you *Madam Merryweather*, you see it is very fairly done; And this was done upon a false Warrant, as we shall prove to you; and if we do, I do not doubt but the Court will Inflict such Punishment upon him as he shall deserve: He says he does it for Conscience sake; I am sorry that a Gentleman that wears a Gown should be Guilty of such an Offence. Call *Mrs. Ann Jones*, [who was sworn.]

Mr. Ward. *Mrs. Pray* give the Court an account what you know of that Gentleman, *Mr. Cook*.

Mrs. Jones, My Lord, My knowledge of this Gentleman was at *Mrs. Merryweather's*, with whom I was very conversant upon all accounts; and this Gentleman was concern'd in all things that she was: And at that time there were several Books that

were Printed against the Government, and I have helpt to hang them up upon Lines my self, I believe some Hundreds of them; if I said a Thousand I should not lye; he was always a man that was very shy of being seen; but *Mrs. Merryweather* did put such confidence in me, that she would let me see every thing; and one time he comes in and calls for a Candle, and takes a Broad Seal out of his pocket, and seals a Paper, and said to *Madam Merryweather*, look you *Madam* it is fairly done. And when he was gone I lookt upon it, and said to *Madam Merryweather*, *Madam*, This is Poor King *James's* Seal is it not? no, you Fool says she, 'tis the Lord *Nottingham's* Seal, and some of the Paper was Printed, and some filled up with a Pen; and says I, *Madam*, Who is it for? Why says she for a poor Officer that is come from France, and cannot tell how to get back again, for if he be taken here, he will lose his life; and I said, that this Gentleman was a Good man; Ay, says she, if you did but know what he did for King *James*, you would say so.

Mr. Recorder, Have you ever heard *Mrs. Merryweather* talk of one *Black Tom*?

Mrs. Jones, I cannot tell, I do not know him; she used to say so sometimes in a Joke.

Mr. Recorder, He melted the Wax you say, and put the Seal upon it, and said, *Madam*, it is fairly done?

Mrs. Jones, Yes, he did so, and I told *Madam Merryweather*, that it was a hard thing to Cut such a Seal. As hard as it is, says she, I can do it; I wish I could do it, says I, I would cut it for all the *Jacobites* in Town; says she you would be hang'd presently you are such a fool; says I, if I was, it would be only my good nature that would hang me.

Mr. Counf. Ward, Call *Mr. Morris*. [Who was sworn.]

Mr. Morris, This Woman came to me about the 8th. of March last, and told me, says she, I have a Secret to divulge; and she up and told me this story about the Seal; and I drew three Copies of her Information, and one I carried to my Lord *Nottingham*, and another Copy I gave to *Mr. Aaron Smith*, and another I kept my self.

Mr. Counf. Ward, Call *Mr. Stephens*. [Who was sworn.]

Mr. Counf. Ward, Do you know that Gentleman at the Bar?

Mr. Stephens, the King's Messenger; Yes, Sir, I know the Gentleman.

Mr. Counf. Ward, Is this the first time that he hath been accused to be against the Government?

Mr. Stephens, I can't tell that ever he was here; but I have had somewhat to say to him formerly, but I never brought him hither, I think.

Mr. Counf. Ward, How long have you known him?

Mr. Stephens, I knew him in King *James's* time, when he was a Curate at *Islington*; I can say nothing to this business.

Mr. Recorder, Come, *Mr. Cook*, What do you say to this matter?

Mr. Cook, That Gentleman does please to make some Reflections upon me, that it is upon a Point of Conscience that I do act; I do acknowledge that it is a Point of Conscience that I suffer for.

Mr. Recorder, How do you make it a Point of Conscience?

Mr. Cook, A Point of Conscience it is, because all the world knows, that I might have had my Enlargement, that I might have had my Liberty, if I would have taken such Measures as others have done.

Point of Conscience; I desire to know wherein your Scruples are?

Mr. Cook, I can't make the Compliance, as other Gentlemen do: that is my Point of Conscience.

Mr. Recorder, Well, but look you, Doctor, Why did you make this Warrant?

Mr. Cook, I made it at the same time for my Point of Conscience; but as I am a Christian Priest, I never saw such Paper, as to make Thomas Davison to go to France.

Mr. Recorder, How do you live, Mr. Cook?

Mr. Cook, I have a Wife, and some small Children, and I have some small Remains that I had left; I was Curate of Islington, and I had somewhat in the Countrey in the North of England. I would sooner cut my own Throat a thousand times, than do such a thing as this.

Mr. Recorder, Do you know Mrs. Merryweather?

Mr. Cook, My Lord, I did know her, because she lived at my Lord of *Nottingham's* when I was his Chaplain, and she drew his Picture, and I gave her two Guineas for one.

Mr. Recorder, This makes it the more probable to be true, that you were concerned in this matter; for if you would be private with her where Papers were hung up to be dry'd, in order to be dispersed against the Government, you may as well do other things.

Mr. Cook, My Lord, I will answer that presently, if you please to ask me.

Mr. Count *Ward*, You know that my Lord *Nottingham* took those Papers once.

Mr. Cook, I never denied into my Lord *Nottingham*.

Mr. *Ward*, You write the Words in the Warrant.

Mr. Cook, I never did it.

Mr. Recorder, Mr. Cook, Have you any Witnesses?

Mr. Cook, Of what? I have no Witnesses of any thing.

Then Mr. Recorder sum'd up the Evidence, as followeth;

Mr. Recorder, Gentlemen of the Jury, Mr. Cook stands Indicted for a Misdemeanor, and that is, for Writing and Sealing a Paper, purporting a Warrant under the Hand and Seal of the Lord *Nottingham*; and this was for to License one *Thomas Davison*, and some others, to go into *France*; he says, He is not Guilty; you have heard the Evidence, that Gentlewoman, Mrs. *Jones*, who says, that she is no great Favourer of the Government, and of another Religion; but yet she does discover that which may be prejudicial to the Government: And she says, That she did see Papers hung up wet in Mrs. *Merryweather's* House, in a Room there; and that this Gentleman hath seen the same: And she says as to this particular matter, That when Mr. Cook came into Mrs. *Merryweather's* Room, she was a little out of sight, but yet she saw him take Wax out of his Pocket, and then melted the Wax, and with a Seal that he took out of his Pocket also, he Seal'd it, and said, It is done, it is fairly done: When he was gone, she swears that she came and took it up, and look'd upon it, and read it; and said to Mrs. *Merryweather*, Madam, this is like King *James's* Seal; No, says she, you are a Fool, it is my Lord *Nottingham's* Seal: Nay, she lookt upon it very intently, and read it, and the Contents were, That 'twas a Pass-Warrant for this *Davison* to go to *France*; and says, that he had come out of *France*, and knew not how to go thither again, and this was to be his Pass to get into *France*; And she swears that it was forg'd as under the Hand and Seal of my Lord of *Nottingham*; and that at that time there were divers other things discours'd betwixt her and Mrs. *Merryweather*, who said that she could cut those Seals; aye, says Mrs. *Jones*, would I could do so too, I would do it for all the *Jacobites* in *England*. And this Gentleman tells you, that he had a nice Conscience, and had a Living in the North, and another at *Islington*; and those he had parted with, rather than he would comply with the present Government. Gentlemen, The Secretary hath been often abus'd by such Cunning People; and whether this be one of them or no, I cannot tell; but if you do believe that Witness, (and no Reason is offer'd why you should not) then you must find him guilty, tho he deny it.

Now, Gentlemen, I must tell you, that Men of Learning and Parts (and above all others, Clergy-men) when they are not well affected to the Government, are the most dangerous: For

small Principles, and out of a good Judgment, and with good Intent; and therefore do influence the People more than others. And for my own part, I do not stick to say, That I do own this present Government, and have taken a solemn Oath to it, and I hope you all have done the like, and do so too: And it is a wonder to me, that any body can be of the Opinion, that King *James* can come back without a *French* Power, and yet leave Popery behind him; and wonder that any one can think, but that if he comes, Popery and Slavery must come with him. Gentlemen, our Religion is the dearest thing we have; and next to that, is our Property and Posterity: You see how the *French* do use their Subjects at home: And some of their Books do say, That King *James* will come in a better Temper than he went away; but you that read Histories, may easily perceive what Machinations and Contrivances the Papists have always us'd to ruin and subvert the Protestant Religion. Gentlemen, I would have all men that have their thoughts about them, and have common understandings to consider that our late misfortune. And what is the reason of it? You do not want a zealous, good, and valiant King, nor the best of Queens that *England* ever knew; I have heard some wise and great men say, no History can shew the like. Gentlemen, Our Religion, Properties, and our Nation too, which are the things most dear to us, do lie at stake; and our seeming, but false Friends at home, are our greatest and most dangerous Enemies; by discourteasing and dividing Their Majesties Subjects at home, and betraying our Counsels to our Enemies abroad.

But yet, Gentlemen, I would be rightly understood; I would not lay more upon this Gentleman than he does deserve: But truly if you do believe this Witness, who does not seem to be a Favourer either of our Government or Religion, but whether mov'd only by love to Truth, or what other cause she was first to discover this matter, does not appear; but 'tis plain, that Mr. Cook, and this Witness too, were very familiar and intimate with Mrs. *Merryweather*; and that he is guilty of a very foul Crime, and such as does very much concern the Government. But I must leave it to you to consider of the whole matter, and to give a Verdict according to your Consciences, which I doubt not but you will do.

After the Jury was withdrawn for some time, they returned, and gave their Verdict, That Mr. Cook was guilty of the Misdemeanour laid in the Indictment. Whereupon the Court consulted together for a time: And then Mr. Recorder told the Prisoner, That the Court had considered of his Crime, his Ability, and his Function: And merely in respect to the latter, would not inflict that Corporal Punishment upon him that his Crime deserved; and yet were oblig'd to shew their sense of his Offence, and therefore did set upon him the Fine of 200*l*. and to lie in Prison till he paid it; and found good Security for his good behaviour for a Twelvemonth.

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